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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,832	05/04/2001	Katsuakira Moriwake	450108-4484.2	2942
20999	7590	10/04/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			MUHEBBULLAH, SAJEDA	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/849,832

Applicant(s)

MORIWAKE ET AL.

Examiner

Sajeda Muhebbullah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment 6/10/05 and RCE 7/12/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 143, 144, 146 and 147 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 143, 144, 146 and 147 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

AT

DETAILED ACTION

1. This communication is responsive to Amendment filed 6/10/2005 and RCE filed 7/12/2005.
2. Claims 143-144 and 146-147 are pending in this application. Claims 143 and 146 are independent claims. In the Amendment, claims 145 and 148 were cancelled and claims 143 and 146 were amended.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 143 and 146 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klingler et al. ("Klingler," US 5,404,316) in view of de la Huerga ("Huerga", US 6,820,093).

As per claim 143, Klingler teaches an editing system for editing a plurality of clips to produce an edit resultant clip, comprising:

editing means for edit processing said plurality of clips on the basis of clip management data defining the edit processing performed on each of said plurality of clips to produce said edit resultant clip (col.5, lines 2-15);

managing means for managing said plurality of clips on the basis of link information indicating a tree structure for linking said plurality of clips to produce said edit resultant clip (col.7, lines 64-68; col.8, lines 1-12); and

control means for modifying the edit processing performed on one of said plurality of clips in producing said edit resultant clip (col.1, lines 32-39) and automatically updating said clip management data and link information for each of said plurality of clips in accordance with the modified edit processing (col.1, lines 33-34; col.2, lines 43-44; col.5, lines 46-63).

However, Klingler does not teach the clips to have a corresponding enable/disable flag, setting the flags corresponding to each clip linked in the tree structure above the modified edit processing to disable, re-edit processing the clips having flags set to disable, thereby re-producing the edit resultant clip to include the modified edit processing and resetting the flags to enable. Huerga teaches editing means to include a plurality of segments having a corresponding flag (col.36, lines 43-49), setting the flags corresponding to the modified sections (col.35, lines 12-15), reprocessing the sections having flags set to disable to reproduce the record to include the modifications (col.36, lines 25-29), and resetting the flags back to enable after processing is complete (col.35, lines 13-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Huerga's teaching with Klingler's system in order to save time in reprocessing to only those sections that have been modified.

Independent claim 146 is similar in scope to independent claim 143, and is therefore rejected under similar rationale.

5. Claims 144 and 147 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klingler et al. ("Klingler," US 5,404,316) and de la Huerga ("Huerga", US 6,820,093) in view of Duffy et al. ("Duffy", US 5,339,393).

As per claim 144, the system of Klingler and Huerga teaches storing of the clip management data and link information in a storage memory but does not disclose this storage to

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be a database. Duffy teaches an editing system where a database is used to store clip information (Duffy, col.2, lines 19-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Duffy's teaching with Klingler's system in order to provide an alternatively efficient means of storage.

Claim 147 is similar in scope to claim 144, and is therefore rejected under similar rationale.

Response to Arguments

6. Applicant's arguments in Amendment filed 6/10/2005 and RCE filed 7/12/2005 have been considered but are moot in view of the new ground(s) of rejection.

Communications

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday and alt. Mondays from 8:00 am to 4:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Sajeda Muhebbullah
Patent Examiner
Art Unit 2174

Kristine Kincaid
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